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NEWARK
NEW ORLEANS
PARIS

Date September 22, 2005 Client-Matter 53951-055

Fax Transmittal

Total Pages (Including Cover) 54

From Mark A. Catan

Sender's Voice Number 212.969.3413

Sender's Room Number

Sender's Email Address mcatan@proskauer.com

Main Fax Number 212.969.2900

To: Examiner: Rodney T. Frank

Fax No.: 571-273-8300

Company: United States Patent and Trademark Office - Group Art Unit 2856 Voice No.:

Message

Re: Inventor : Jeffrey H. Burbank
Serial No. : 10/037,429
Filing Date : January 4, 2002
Title : METHOD AND APPARATUS FOR LEAK DETECTION IN BLOOD
CIRCUITS COMBINING EXTERNAL FLUID DETECTION AND AIR
INFILTRATION DETECTION
Att'y Docket : 53951-055

Attached please find the following:

- 1) Request for Continued Examination (RCE) Transmittal
- 2) Transmittal Form
- 3) Fee Transmittal
- 4) Information Disclosure Statement
- 5) PTO-1449/Cited references

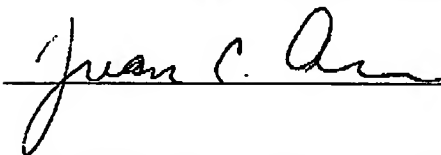
Please contact Mark A. Catan at (212) 969-3000 if you have any questions.

FACSIMILE TRANSMISSION CERTIFICATE

I hereby certify that these papers are being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Juan C. Arias

Name of person signing the certification

 September 22, 2005

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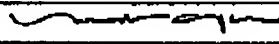
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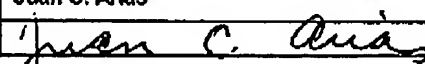
PTO/SB/21 (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	10/037,429
		Filing Date	January 4, 2002
		First Named Inventor	Jeffrey H. Burbank
		Group Art Unit	2856
		Examiner Name	Rodney T. Frank
Total Number of Pages in This Submission		Attorney Docket Number	53951-055
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Request for Continued Examination (RCE) Transmittal <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) ____	
		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO-1449 and Cited references	
		Remarks	
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual Name	Mark A. Catan		
Signature			
Date	September 22, 2005		

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.			
Typed or printed name	Juan C. Arias		
Signature		Date	September 22, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

FEE TRANSMITTAL FY 2005		Complete if Known	
		Application Serial Number	10/037,429
		Filing Date	January 4, 2004
		First Named Inventor	Jeffrey H. Burbank
		Group Art Unit	2856
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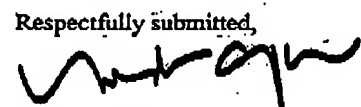
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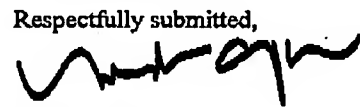
METHOD OF PAYMENT <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. <u>16-2500</u> <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit. <input type="checkbox"/> Applicant claims small entity status.	FEE CALCULATION (continued) 4. ADDITIONAL FEES <table style="width: 100%; border-collapse: collapse;"> <tr> <th style="text-align: left;">Large Entity</th> <th style="text-align: left;">Small Entity</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: left;">Fee Paid</th> </tr> <tr> <td>130</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td></td> </tr> <tr> <td>50</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td></td> </tr> <tr> <td>130</td> <td>130</td> <td>Non-English specification</td> <td></td> </tr> <tr> <td>2,520</td> <td>2,520</td> <td>Request for ex parte re-examination</td> <td></td> </tr> <tr> <td>120</td> <td>60</td> <td>Extension for reply within 1st mo.</td> <td></td> </tr> <tr> <td>450</td> <td>225</td> <td>Extension for reply within 2nd mo.</td> <td></td> </tr> <tr> <td>1,020</td> <td>510</td> <td>Extension for reply within 3rd mo.</td> <td></td> </tr> <tr> <td>1,590</td> <td>795</td> <td>Extension for reply within 4th mo.</td> <td></td> </tr> <tr> <td>2,160</td> <td>1,080</td> <td>Extension for reply within 5th mo.</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Notice of Appeal</td> <td></td> </tr> <tr> <td>500</td> <td>250</td> <td>Filing a brief in support of an appeal</td> <td></td> </tr> <tr> <td>1,000</td> <td>500</td> <td>Request for oral hearing</td> <td></td> </tr> <tr> <td>400</td> <td>0</td> <td>Petitions to the Director</td> <td></td> </tr> <tr> <td>180</td> <td>180</td> <td>Submission of IDS</td> <td>180.00</td> </tr> <tr> <td>790</td> <td>395</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td></td> </tr> <tr> <td>790</td> <td>395</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td></td> </tr> <tr> <td>100</td> <td>100</td> <td>Certificate of Correction for applicant's error</td> <td></td> </tr> <tr> <td>110</td> <td>55</td> <td>Submission of Terminal Disclaimer</td> <td></td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td>Request for Continued Examination (RCE)</td> <td>790.00</td> </tr> <tr> <td colspan="2">Other fee (Specify)</td> <td></td> <td></td> </tr> <tr> <td colspan="2" style="text-align: right;">4. TOTAL:</td> <td></td> <td></td> </tr> </table>	Large Entity	Small Entity	Fee Description	Fee Paid	130	65	Surcharge - late filing fee or oath		50	25	Surcharge - late provisional filing fee or cover sheet		130	130	Non-English specification		2,520	2,520	Request for ex parte re-examination		120	60	Extension for reply within 1 st mo.		450	225	Extension for reply within 2 nd mo.		1,020	510	Extension for reply within 3 rd mo.		1,590	795	Extension for reply within 4 th mo.		2,160	1,080	Extension for reply within 5 th mo.		500	250	Notice of Appeal		500	250	Filing a brief in support of an appeal		1,000	500	Request for oral hearing		400	0	Petitions to the Director		180	180	Submission of IDS	180.00	790	395	Filing a submission after final rejection (37 CFR 1.129(a))		790	395	For each additional invention to be examined (37 CFR 1.129(b))		100	100	Certificate of Correction for applicant's error		110	55	Submission of Terminal Disclaimer		Other fee (Specify)		Request for Continued Examination (RCE)	790.00	Other fee (Specify)				4. TOTAL:			
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FEE CALCULATION 1. BASIC FILING, SEARCH, AND EXAMINATION FEES			
Application Type	Filing	Search	Examination
Utility	300	500	200
Design	200	100	130
Plant	200	300	160
Reissue	300	500	600
Provisional	200	0	0
Small Entity Discount 1. TOTAL			
2. EXCESS CLAIM FEES			
Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent.		50	25
Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent.		200	100
Total Claims	Extra Claims	Fee Paid (\$)	
7	0	$-20 \text{ or HP} = 0 \times 350 = 0$	
HP = highest number of total claim paid for, if great than 20			
Indep. Claims	Extra Claims	Fee Paid (\$)	
2	0	$-3 \text{ or HP} = 0 \times 200 = 0$	
HP = highest number of total claim paid for, if great than 3			
Multiple Dependent Claims	Fee(\$)	Small Entity fee (\$)	Fee Paid (\$)
0	360	180	
2. TOTAL:			

3. APPLICATION SIZE FEE If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).			
Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)
-100 =	150 =	round up to a whole number	x = 0
3. TOTAL:			

CORRESPONDENCE ADDRESS Direct all correspondence to: Patent Department Proskauer Rose LLP 1585 Broadway New York, NY 10036 Tel. No.: (212)969-3000 Fax No.: (212)969-2900	
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SIGNATURE BLOCK Respectfully submitted,  Date: September 22, 2005 Reg. No. 38,720 Tel. No.: (212)969-3000 Fax No.: (212)969-2900 Mark A. Catan Attorney for the Applicants Proskauer Rose LLP 1585 Broadway New York, NY 10036	
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FEE TRANSMITTAL FY 2005					Complete if Known			
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METHOD OF PAYMENT					FEE CALCULATION (continued)			
<input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other					4. ADDITIONAL FEES			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. <u>16-2500</u> <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.								
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Total Claims					Extra Claims		Fee Paid (\$)	
7					- 20 or HP= 0		X \$50 = 0	
HP = highest number of total claim paid for, if great than 20								
Indep. Claims					Extra Claims		Fee Paid (\$)	
2					- 3 or HP= 0		X \$200 = 0	
HP = highest number of total claim paid for, if great than 2								
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Direct all correspondence to: Patent Department Proskauer Rose LLP 1585 Broadway New York, NY 10036 Tel. No.: (212)969-3000 Fax No.: (212)969-2900								
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					Date: September 22, 2005 Reg. No. 38,720 Tel. No.: (212)969-3000 Fax No.: (212)969-2900			
					Respectfully submitted,  Mark A. Catan Attorney for the Applicants Proskauer Rose LLP 1585 Broadway New York, NY 10036			
					TOTAL AMOUNT SUBMITTED			
					(\$ 970.00)			